

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEANNA M. JAYNES,

Defendant.

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8:08CR214

ORDER

This matter is before the court on the oral motion to continue by defendant Deanna M. Jaynes (Jaynes). The motion was made during a release hearing on July 21, 2008. Jaynes seeks a continuance of the trial of this matter which is scheduled for July 28, 2008. Jaynes stated on the record that she consents to the motion and acknowledges she understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Jaynes's motion to continue trial is granted.
2. Trial of this matter is re-scheduled for **September 8, 2008**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **July 21, 2008 and September 8, 2008**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 21st day of July, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge